

JUN 12 2018

ATTACHMENT A: STIPULATED FACTS

United States v. Kevin Fernandez-Serrano

AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

BY

The undersigned parties hereby stipulate and agree that if this matter had gone to trial, the Government would have proven the following facts beyond a reasonable doubt. The undersigned parties also stipulate and agree that the following facts do not encompass all of the evidence that would have been presented had this matter gone to trial.

In or about February 2017, in the District of Maryland, the Defendant, KEVIN FERNANDEZ-SERRANO ("FERNANDEZ-SERRANO"), together with his co-conspirators, knowingly and willfully conspired to and did obstruct, delay, and affect commerce by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), by the unlawful taking of property from the persons and presence of persons who were engaged in interstate and foreign commerce, against their will, by means of actual and threatened force, violence, and fear of injury. Together with his co-conspirators, FERNANDEZ-SERRANO planned to and did rob drivers for taxi dispatch services operating in Montgomery and Prince George's Counties, Maryland.

Before each robbery, a member of the conspiracy would contact a taxi dispatch service and request a ride. Co-conspirators would enter the driver's vehicle and direct the driver where to drive and when to pull over. Co-conspirators would then display weapons and demand U.S. currency and cellular telephones, among other items, from the drivers. Co-conspirators in fact took U.S. currency and cellular telephones, among other items, from the drivers. FERNANDEZ-SERRANO's role in the conspiracy included directing co-conspirators to commit the robberies, providing weapons including knives and a firearm for use during the robberies, acting as the getaway driver after the robberies, and collecting and distributing proceeds from the robberies.

On February 10, 2017, shortly before 3:00 a.m., FERNANDEZ-SERRANO drove Co-Conspirators 1, 2, and 3 (the "Co-Conspirators") to the Dunkin Donuts located at 2405 Reedie Drive, Wheaton, Maryland, for the purpose of committing a robbery of a taxi driver. FERNANDEZ-SERRANO provided the Co-Conspirators with knives to use during the robbery. A Co-Conspirator called Company A and requested a taxi, and Company A dispatched Victim A to the Reedie Drive Dunkin Donuts. The Co-Conspirators entered Victim A's car and directed Victim A to drive toward Twinbrook Parkway in Rockville, Maryland, and then turn onto Crawford Drive, a dead-end street, and drive to the parking lot for Hillcrest Park. Once Victim A parked, Co-Conspirator 1 grabbed Victim A and put Victim A in a headlock. Co-Conspirator 1 took U.S. currency from the pocket of the driver's side door and demanded Victim A's watch. Victim A felt a sharp object on the side of his neck and sustained a cut to his hand when Co-Conspirator 1 took his watch. Co-Conspirator 2 pressed a knife to Victim A's stomach and demanded Victim A's wallet and other valuables. Co-Conspirator 3 pressed a knife to Victim A's cheek. Co-Conspirator 3 grabbed Victim A's phone and demanded that Victim A provide the passcode, which Victim A did. The Co-Conspirators searched Victim A's car and stole approximately \$350 in United States currency (representing payments Victim A had received from passengers), along with Victim A's gold chain, gold-colored watch, Apple iPhone, and credit card. The Co-Conspirators then fled on foot through the park, then entered a vehicle driven by FERNANDEZ-SERRANO, who drove the Co-Conspirators away from the scene of the robbery. After the robbery, Victim A did not take any more passengers, although his shift had not yet ended. After the robbery, FERNANDEZ-SERRANO collected currency and items stolen

from Victim A, kept some for himself, and distributed items including Victim A's phone and watch to the Co-Conspirators. At approximately 4:30 a.m., FERNANDEZ-SERRANO and the Co-Conspirators used Victim A's credit card to make a purchase at the 7-Eleven convenience store located at 8202 Georgia Avenue, Silver Spring, Maryland.

On February 17, 2017, shortly before 5:00 a.m., FERNANDEZ-SERRANO drove two Co-Conspirators to Ruatan Street in Hyattsville, Maryland, a dead-end street. FERNANDEZ-SERRANO was driving a dark green Acura bearing Maryland license plate 1CN1562, a stolen vehicle. FERNANDEZ-SERRANO called Company B from phone number ending in 8593 and requested a taxi. Company B dispatched Victim B to 1908 Ruatan Street. When Victim B arrived at the end of Ruatan Street, he turned his car around so that he was facing the direction from which he had come. In the meantime, FERNANDEZ-SERRANO pulled away from the curb and blocked Victim B's car from leaving Ruatan Street. Two Co-Conspirators then approached and entered Victim B's car. Co-Conspirator 2 held a knife to Victim B's ribs. The second Co-Conspirator held a gun to Victim B's head. The Co-Conspirators told Victim B to give them everything he had. Victim B gave the Co-Conspirators about \$75 in U.S. currency that Victim B had received from customers. The Co-Conspirators also took a radio, some perfume, a cellular telephone, and Victim B's car keys from Victim B. The Co-Conspirators asked Victim B for the passcode to Victim B's phone, and told Victim B that if Victim B lied about the passcode, they would shoot Victim B in the foot. The Co-Conspirators then got out of the car, threw Victim B's car keys to the side of the road, entered the stolen Acura, and were driven away by FERNANDEZ-SERRANO.

On February 18, 2017, FERNANDEZ-SERRANO was arrested. FERNANDEZ-SERRANO fled from law enforcement prior to his arrest. During his flight, FERNANDEZ-SERRANO dropped two phones, including the phone with number ending in 8593.

On February 26, 2017, FERNANDEZ-SERRANO was pulled over in a traffic stop driving the stolen Acura bearing Maryland license plate 1CN1562.

Companies A and B generally, and Victims A and B specifically, operate in interstate commerce by driving passengers from Maryland to DC and/or Virginia.

I have read this statement of facts, and have carefully reviewed it with my attorney. I acknowledge that it is true and correct.

5/31/18

Date

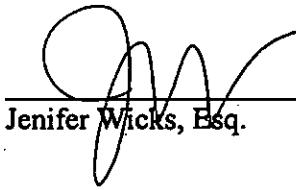


Kevin Fernandez-Serrano

I am the attorney for Kevin Fernandez-Serrano. I have carefully reviewed the statement of facts with him.

5/31/18

Date



Jenifer Wicks, Esq.